APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,273	11/21/2000	Hubert Helaine	Q61623	8432

23373 7590 05/30/2006		EXAMINER
SUGHRUE MION, PLLC		IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
2617	

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DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 April 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Reassignment Affecting Application Location

The Art Unit location of your application in the USPTO has changed. To aid in

correlating any papers for this application, all further correspondence regarding this

application should be directed to Art Unit 2617.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-28 are rejected under 35 U.S.C. 102(e) as being unpatentable by

Beaudou (6671522).

3.   Regarding claim 1 Beaudou et al teaches a telecommunication terminal (fig. 1)

for accessing a data network via an access network using a set of provisioning data, the

terminal comprising (figs. 1-3):

means for storing a current set of provisioning data (col. 9, line 35-col. 10, line

35) (The mobile phone application sending technique has a mobile phone terminal (3)

with an application area (31 to 33) commanded by the subscriber identification module

(4)):

means for storing at least one set of protected provisioning data that cannot be updated without the intervention of the terminal user (authentication)(col. 9, line 35-col. 10, line 35, col. 8, lines 13-50); and

means for selecting a set of provisioning data from a group of the current set of primary provisioning data and the set of protected primary provisioning data (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50), wherein a connection to the data network (internet) is set up using the selected set of provisioning data (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claim 8 Beaudou et al teaches a telecommunication terminal for accessing a data network via an access network using a set of provisioning data, the terminal comprising (figs. 1-3):

means for storing a current set of provisioning data (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50), means for storing at least one set of protected provisioning data that cannot be updated without the intervention of an access network operator (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50), and

means for selecting a set of provisioning data from a group of the current set of primary provisioning data and the set of protected primary provisioning data (para. # 0026,0028-32), wherein a connection to the data network is set up using the selected set of provisioning data (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claim 15 Beaudou et al teaches a telecommunication terminal for accessing a data network via an access network using a set of provisioning data, the terminal comprising (figs. 1-3):

means for storing a current set of provisioning data; means for storing at least

one set of protected provisioning data that cannot be updated without the intervention of

the access provider (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50);

means for selecting a set of provisioning data from a group of the current set of

primary provisioning data and the set of protected primary provisioning data (para. #

0028-32), wherein a connection to the data network is set up using the selected set of

provisioning data (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claim 22 Beaudou et al teaches a method of updating provisioning

data in a telecommunications terminal for accessing a data network via an access

network and an access provider, the method comprising (figs. 1-3):

backing up provisioning data for an access network, an access provider or a

user; and protecting the backed up provisioning data to prevent it being updated without

the intervention of the user, an access network operator or the access provider (col. 9,

line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claim 2 Beaudou et al teaches wherein the terminal is a mobile

terminal (Fig. 1).

Regarding claims 3,10 and 17 Beaudou et al teaches packet switched data using

Internet protocol or wireless application protocol (col. 9, line 35-col. 10, line 35, col. 8,

lines 13-50).

Regarding claims 4,11,18 Beaudou et al teaches wherein the protected

provisioning data storage means are adapted to store a plurality of sets of provisioning

data for a plurality of accesses to the data network (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claims 5,12 and 19 Beaudou et al teaches wherein it includes identification data storage means for each provisioning set stored in the protected provisioning data storage means (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claims 6,13,20 Beaudou et al teaches wherein the protected provisioning data storage means are in a medium dedicated to an access network or to an operator (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claims 7, 17, and 21 Beaudou et al teaches wherein the protected provisioning data storage means are in a medium dedicated to an access or content provider (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claim 23 Beaudou et al teaches a method of accessing a data network by a telecommunication terminal, the method comprising (figs. 1-3):

identifying a user and a network using the terminal (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50);

when the user and the network are identified, checking storage for a protected provisioning data that cannot modified without user intervention (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50); when said provisioning data is detected, using said provisioning data; and when said provisioning data is not detected, requesting current provisioning data (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50);

wherein said storage is in one of: the terminal; a medium dedicated to an access provider; a medium dedicated to an access net work (col. 9, line 35-col. 10, line 35, col.

8, lines 13-50), wherein before storing in said storage said protected provisioning data, the user is queried whether said protected provisioning data is to be stored (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claim 24 Beaudou et al teaches wherein the provisioning data is primary provisioning data to access the data network (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claim 25 Beaudou et al teaches wherein both the means for storing a current set of provisioning data and the means for storing at least one set of protected provisioning data are located in at least one of storage of the terminal and on a card insertable into the terminal (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claim 26 Beaudou et al teaches wherein the means for storing a current set of provisioning data and the means for storing at least one set of protected provisioning data, each store data for setting up a connection to the data network via a respective access networks for the same terminal and wherein connections to different access networks are established with different stored sets of provisioning data (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Regarding claim 27 Beaudou et al teaches a telecommunication terminal for accessing a data network via an access network using a set of provisioning data, the terminal comprising:

means for storing a current set of primary provisioning data (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50);

means for storing at least one set of protected primary provisioning data that connote be

updated without intervention from a terminal user (col. 9, line 35-col. 10, line 35, col. 8,

lines 13-50); and

means for copying one of said at least one set of protected primary provisioning data

from the protected storing means into the current storing means (col. 9, line 35-col. 10,

line 35, col. 8, lines 13-50).

Regarding claim 27 Beaudou et al teaches wherein, when the terminal returns

to a home access network, said one of said at least one set of protected primary

provisioning data is copied from the protected storing means into the current storing

means (col. 9, line 35-col. 10, line 35, col. 8, lines 13-50).

Response to Arguments

4.   Applicant's arguments with respect to claims 1-28 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khawar Iqbal whose telephone number is 571-272-

7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist/customer service whose telephone

number is (571) 272-2600.

Khawar Iqbal

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER